

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00220-MR**

**RANDY W. BARKLEY, Individually  
and as the Executor of the Estate of  
Rita W. Barkley, Deceased,**

**Plaintiff,**

**vs.**

**4520 CORP., INC., Individually and  
as Successor-in-Interest to  
Benjamin F. Shaw Company, et al.,**

**Defendants.**

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**ORDER**

**THIS MATTER** is before the Court on the Defendant Fisher Controls International LLC's Motion for Summary Judgment [Doc. 277]; the Defendant Crosby Valve, LLC's Motion for Summary Judgment [Doc. 279]; the Defendants Fisher Controls International LLC and Crosby Valve, LLC's Motion to Exclude the Testimony of Edwin Holstein [Doc. 284]; the parties' Joint Motion to Dismiss without Prejudice as to Defendant Crosby Valve, LLC [Doc. 340]; and the parties' Joint Motion to Dismiss without Prejudice as to Defendant Fisher Controls International LLC [Doc. 341].

Upon review of the parties' motions,

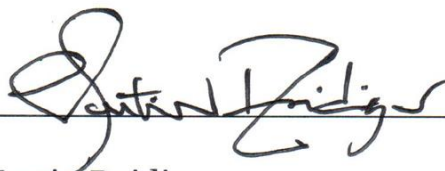
**IT IS, THEREFORE, ORDERED** that the parties' Joint Motion to Dismiss [Doc. 340] is **GRANTED**, and all the Plaintiff's claims against the Defendant Crosby Valve, LLC are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the parties' Joint Motion to Dismiss [Doc. 341] is **GRANTED**, and all the Plaintiff's claims against the Defendant Fisher Controls International LLC are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the Defendant Fisher Controls International LLC's Motion for Summary Judgment [Doc. 277]; the Defendant Crosby Valve, LLC's Motion for Summary Judgment [Doc. 279]; and the Defendants Fisher Controls International LLC and Crosby Valve, LLC's Motion to Exclude the Testimony of Edwin Holstein [Doc. 284] are **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Signed: October 25, 2021

  
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Martin Reidinger  
Chief United States District Judge

